

WPA 29782 of 2024

Rajnagar Srinathgram Bani Bidyapith (H.S.) & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Gouranga Kr. Das
Ms. Poulami Dutta
....for the petitioners

Mr. Supriyo Chattopadhyay
Mr. Manoj Kr. Mondal
....for the State

Mr. Keshab Chandra Das
Ms. Aparajita Mondal
....for the respondent no. 12

Affidavit of service filed on behalf of the
petitioners is taken on record.

Copies of documents filed on behalf of the
respondent no. 12 is also taken on record.

Learned counsel appearing on behalf of the
petitioners submits as follows. The petitioner no. 1 is
a government sponsored school and the petitioner nos.
2 and 3 are the Managing Committee and the
President of the Managing Committee of the said
school respectively. After land was donated for
establishment of the school, it became public land.
The school is running in full capacity at the said
premises. Suddenly, the private respondents have
come and are forcibly preventing the petitioners from
running the school. In fact, they have encroached

upon a portion of the public land and have made illegal construction. Representation in this regard was made to the concerned authorities on 15.06.2024, but has not been responded to as yet.

Learned counsel appearing on behalf of the respondent no. 12 denies the allegations and submits as follows. There is a *bona fide* dispute about the ownership of the land in question. Some of the private respondents are the heirs of the original owners of the land. They are questioning the purported transfer.

Learned counsel appearing on behalf of the State denies the allegations and submits that a civil dispute cannot be decided in terms of the provisions of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962.

In view of the above, let the respondent no. 8 consider the representation of the petitioner dated 15.06.2024 in this regard in accordance with law and upon hearing all concerned parties as expeditiously as possible, preferably within eight weeks from the date of communication of this order.

It is clarified that the merits of the case have not been gone into.

With these observations, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance.

(Jay Sengupta, J.)